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4 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**  
5 **STATE OF WASHINGTON**

6 IN THE MATTER OF THE  
7 ENFORCEMENT ACTION AGAINST:

PDC CASE NO. 00-877

8 STIPULATION OF FACT

9 Kent School District,

10 Respondent.

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12 The Kent School District (Respondent) and Public Disclosure Commission Enforcement  
13 Staff (Staff) agree that the Notice of Administrative Charges (Charges) issued on August 4,  
14 2000, contains an accurate basic statement of facts. A copy of the Charges is attached and  
15 incorporated by reference. Staff acknowledges that Respondent cooperated fully during its  
16 investigation and after charges were filed to reach an agreed disposition for the Commission to  
17 consider.

18 In addition to the facts contained in the Statement of Charges in this matter, Respondent  
19 alleges as follows:

20 On January 25, 2000 at 11:44 a.m., Jami Lund of the Evergreen Freedom Foundation e-  
21 mailed Michael Harrington, General Counsel of the Kent School District (KSD) asking to  
22 inspect, on that day, the payroll deduction authorizations for WEA-PAC. Mr. Harrington did not  
23 open this email until later that afternoon as he was in meetings. Mr. Lund arrived at KSD offices  
24 during the lunch hour and before 1 p.m. to ask for Mr. Harrington. Upon finding that Mr.  
25 Harrington was in meetings, he spoke with Ms. Lynn Stellick, HR Coordinator at KSD.  
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1 Mr. Lund explained to Ms. Stellick the purpose of his visit and asked to see the WEA-  
2 PAC forms. He indicated that he had made an appointment to see Mr. Harrington, even though  
3 the extent of his contact was an e-mail sent approximately an hour before arriving at the KSD  
4 offices. Ms. Stellick was unaware that the forms Mr. Lund was interested in were in the office of  
5 Mr. Harrington's assistant. Instead, she went to the payroll department to see if they were  
6 located there. They were not. Consequently, she indicated that she thought that Mr. Lund could  
7 find those forms at the KEA office down the street. She advised Mr. Lund to speak directly to  
8 Mr. Harrington, whom she indicated was the person responsible for retaining the requested  
9 information. At that point, Mr. Lund left KSD offices.

10 KSD has a procedure for public inspection of records that includes a request form. Mr.  
11 Lund did not fill one out. Upon returning to his office, Mr. Harrington found out what had  
12 happened and sent notice by return e-mail to Mr. Lund letting him know that he could make an  
13 appointment anytime to come see the records and asking that he coordinate schedules next time.  
14 Mr. Harrington never heard from Mr. Lund again.

15 Following this visit, Mr. Lund filed a complaint and the District has filed a response. At  
16 all times relevant to this episode, WEA-PAC authorization forms were located in the Legal  
17 Services department. At the time Mr. Lund came in, KSD was in the process of obtaining  
18 additional forms for the employees hired in January, 2000 for processing prior to the January  
19 payroll on January 31, 2000.

#### 20 Violation

21 Respondent and Staff are unable to agree that the facts stipulated above constitute  
22 violations of RCW 42.17.680(4).  
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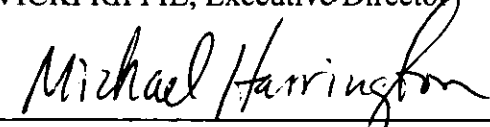
Penalty

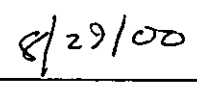
Respondent and Staff have been unable to arrive at a mutually agreeable settlement recommendation for the Commission's consideration.

Respectfully submitted this 29th day of August, 2000.

  
VICKI RIPPIE, Executive Director

  
DATE SIGNED

  
Michael B. Harrington, General Counsel  
Kent School District, Respondent

  
DATE SIGNED